

ASSEMBLY BILL

No. 761

Introduced by Assembly Member Charles Calderon

February 26, 2009

An act to add Section 798.47 to the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

AB 761, as introduced, Charles Calderon. Mobilehomes: rent control.

The mobilehome residency law generally regulates the terms and conditions of mobilehome tenancies in mobilehome parks. Existing law exempts certain rental agreements relating to mobilehomes from any local measure establishing the maximum amount that a landlord may charge a tenant for rent.

This bill would provide, in addition, that upon the sale, assignment, transfer, or termination of an interest in a mobilehome or a mobilehome tenancy in a mobilehome park, the management of the park may offer a new rental agreement containing an initial rent in excess of the maximum rent established by a local measure, except as specified. The bill would provide that, after execution of the new rental agreement, the local measure shall govern the agreement in all applicable respects.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 798.47 is added to the Civil Code, to
2 read:

- 1 798.47. (a) Notwithstanding any contrary provision of law,
2 upon the sale, assignment, transfer, or termination of an interest
3 in a mobilehome or a mobilehome tenancy in a mobilehome park,
4 the management of the park may offer a new rental agreement
5 containing an initial rent in excess of the maximum rent established
6 by an ordinance, rule, regulation, or initiative measure adopted by
7 a city, county, or city and county. After execution of the new rental
8 agreement, the local ordinance, rule, regulation, or initiative
9 measure shall govern the agreement in all applicable respects.
- 10 (b) This section shall not apply to either of the following:
- 11 (1) A change in ownership or tenancy due to the death of a
12 mobilehome owner or tenant when the spouse of the deceased
13 homeowner or tenant becomes the sole owner or tenant.
- 14 (2) An assignment of any existing lease that specifies the amount
15 of rent applicable to the assignee upon a transfer of the interest in
16 the mobilehome.